

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

ANDRE AUGIER,

Plaintiff,

v.

CRAIG BENJAMIN KIRBY,

Defendant.

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Case No. 22-12315

F. Kay Behm

United States District Judge

Elizabeth A. Stafford

United States Magistrate Judge

**OPINION AND ORDER ACCEPTING AND ADOPTING  
THE MAGISTRATE JUDGE'S MAY 22, 2023  
REPORT AND RECOMMENDATION (ECF No. 20)**

Currently before the court is Magistrate Judge Elizabeth A. Stafford's May 22, 2023 Report and Recommendation. (ECF No. 20). Magistrate Judge Stafford recommends denying Defendant's motion to dismiss or transfer venue. (ECF Nos. 20, 8). The court is fully advised in the premises and has reviewed the record and the pleadings. Neither party has filed objections. "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *Hall v. Rawal*, 2012 WL 3639070 (E.D. Mich. Aug. 24, 2012) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). The Court nevertheless agrees with the Magistrate Judge's recommended disposition. Therefore, the Court

**ACCEPTS** and **ADOPTS** the Magistrate Judge's Report and Recommendation (ECF No. 20) and **DENIES** the motion to dismiss or to transfer venue (ECF No. 8).

**SO ORDERED.**

Date: June 13, 2023

s/F. Kay Behm

F. Kay Behm

United States District Judge